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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE CHAMBERLAIN GROUP, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 05 C 6542
)	
REXON INDUSTRIAL CORP., LTD.,)	
et al.,)	
)	
Defendants.)	


MEMORANDUM ORDER

This action has just been reassigned to this Court's calendar from that of its colleague, Honorable George Marovich, as the result of Judge Marovich's declination under 28 U.S.C. §294(b). Accordingly this Court is contemporaneously issuing its customary initial scheduling order, a copy of which is being transmitted to counsel for plaintiff The Chamberlain Group, Inc. ("Chamberlain") together with a copy of this memorandum order.

It is of course inappropriate for this Court to opine in any definitive or near-definitive way, at this threshold stage, as to Chamberlain's substantive claims--either under Counts I through IV (which charge patent infringement), or under the counts that assert federal trademark infringement (Count V), or under the remaining counts that set out a group of claims related to the latter (Counts VI through X). But in those last respects it would seem likely that particular heed may have to be given to the question whether defendants' adoption of the mark "Home Master" to designate their goods does encroach on what

Chamberlain seeks to transmute from its five trademark registrations (Complaint ¶18) to what it consistently describes generically as "The MASTER family of trademarks" (id. and Complaint ¶¶20, 22, 24, 25, 29 and 30). Would Chamberlain, for example, sweep up the famous Master Lock trademark within its own proprietary "family" sphere?

That, like all other issues in the case, remains for future consideration. In the meantime, this Court will await the January 10, 2006 status hearing for a progress report from the parties.

A handwritten signature in cursive script, appearing to read "Milton I. Shadur", written over a horizontal line.

Milton I. Shadur
Senior United States District Judge

Date: December 6, 2005